



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*610 Federal Plaza
Central Islip, New York 11722*

September 3, 2015

VIA ELECTRONIC CASE FILING

Honorable Anne Y. Shields
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *United States v. Lawrence Aviation Indus., Inc., et al.*
No. CV-06-4818 (Bianco, J.) (Shields, M.J.)

Dear Magistrate Judge Shields:

This office represents plaintiff United States of America (the "United States") in the above-referenced environmental action. This letter is written in opposition to the motion of counsel for defendants Lawrence Aviation Industries, Inc. ("Lawrence Aviation") and Gerald Cohen (collectively, "defendants"), filed on August 20, 2015, to withdraw as counsel for these two defendants. The United States objects to Mr. Creadore's requested withdrawal for the following reasons.

As Magistrate Judge Arlene R. Lindsay held in her February 11, 2011 order regarding the motion to withdraw as counsel for certain claimants in this case, a corporation may only appear in federal court through licensed counsel or will be considered in default. *See* Docket Entry No. 124, at 3 (citing *Lattanzio v. Comta*, 481 F.3d 137, 139-40 (2d Cir. 2007), and *Cahn v. Jang*, 1996 WL 506876, at *1 (E.D.N.Y. Aug. 28, 1996)). Further, pursuant to the Court's February 11, 2015 order, discovery is scheduled to end on October 2, 2015, and Mr. Creadore's withdrawal will delay the completion of discovery in this matter.

The government wishes to complete all discovery, including the deposition of Gerald Cohen, and the deposition of other Lawrence Aviation witnesses, prior to this deadline. The United States respectfully requests that in the event the Court nevertheless grants counsel's application to withdraw, the Court provide the United States with a sufficient amount of time to complete discovery and require defendants to retain new counsel expeditiously to help alleviate any further delay to the ongoing discovery process attributable to the failure of defendants to

cooperate with their current counsel that is described in their counsel's affidavit in support of the application.

Thank you for Your Honor's consideration of this matter.

Respectfully submitted,

KELLY T. CURRIE
Acting United States Attorney

By: /s/ Robert B. Kambic

Robert B. Kambic
Assistant U.S. Attorney
(631) 715-7852

cc: All parties and claimants of record.